

REMARKS/ARGUMENTS

Claims 1-27 are pending in the application. Claims 1, 6, 10, 16, 19, and 24 have been amended. Claims 28-30 have been cancelled. Reconsideration is respectfully requested. Applicant submits that the pending claims 1-27 are patentable over the art of record and allowance is respectfully requested of claims 1-27.

Applicant would like to thank Examiner Morrison for holding a telephone interview with their representative, Janaki K. Davda, on August 15, 2006, at 2:00 PM (EST). Proposed claim amendments to claims 1 and 19 and the 35 U.S.C. 101 and 112 rejections were discussed. Additionally, proposed claim amendments to claim 1 and the 35 U.S.C. 102(b) rejection citing the Tandon patent. No agreement was reached.

Claims 19-30 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Applicants respectfully traverse, but, in order to expedite prosecution, Applicants have amended claim 19. Claims 28-30 are being cancelled without prejudice.

In particular, claim 19 is amended to recite: a computer program usable *storage* medium *storing* one or more instructions (e.g., Specification, at page 12, lines 15-20, describes a computer usable device or medium, such as the memory 558 or the data storage device 122; Specification, at page 11, line 31 – page 12, line 1 describes that RAM 540, the data storage device 122 and the ROM 550, are memory components 558 that store data and instructions for controlling the operation of the processor).

Claims 1, 10, 19, and 28 are rejected under 35 U.S.C. 112 as containing a trademark/trade name "XA Transaction Manager" and "XA Transaction Protocol". Applicants have amended claims 1, 10, and 19 to overcome the rejection. Claim 28 has been cancelled without prejudice.

Claims 6, 15, 24, and 30 are rejected under 35 U.S.C. 112 as containing a trademark/trade name "XA Transaction Protocol Interface". Applicants have amended claims 6, 15, and 24 to overcome the rejection. Claim 30 has been cancelled without prejudice.

Claims 1, 5-6, 8-10, 14-15, 17-19, 23-24, 26-28, and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Tandon (U.S. Patent No. 6,233,587). Applicants respectfully traverse.

Anticipation requires that the identical invention must be shown in a single reference in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the Tandon patent does not show the identical invention in as complete detail as is contained in Applicants' claims.

For example, claim 1 describes registering said user-defined operation with said database, wherein the user-defined operation enables a database operation to be extended with user-customizable features (e.g., Specification, page 1, line 32 – page 2, line 2). On the other hand, the Office Action cites one or more personality modules that may be registered with a resource manager (Col. 7, lines 43-51). A personality module is a module that maps a set of events to a set of actions (Col. 6, lines 42-43), which does not anticipate a user-defined operation that enables a database operation to be extended with user-customizable features.

Claim 1 also describes invoking said user-defined operation as part of said database transaction. The Office Action cites Col. 8, line 42 – Col. 9, line 17 as teaching this. Applicants submit that the cited portion of the Tandon patent merely lists resource manager events and transaction events, but there is no description of invoking said user-defined operation as part of said database transaction.

Claim 1 further describes recording with said database that said user-defined operation has been invoked, executing said invoked and recorded user-defined operation while executing said database transaction, and accessing said computer resource by said resource manager, thereby extending said database transaction. Applicants submit that since the claimed user-defined operation is not described by the Tandon patent, these elements are also not described by the Tandon patent.

Claim 1 is not anticipated by the Tandon patent.

Claims 10 and 19 are not anticipated by the Tandon patent for at least the same reasons as were discussed with respect to claim 1.

Dependent claims 5-6, 8-9, 14-15, 17-18, 23-24, 26-27 incorporate the language of independent claims 1, 10, and 19 and add additional novel elements. Therefore, dependent claims 5-6, 8-9, 14-15, 17-18, 23-24, 26-27 are not anticipated by the Tandon patent for at least the same reasons as were discussed with respect to claims 1, 10, and 19.

Claims 2-4, 7, 11-13, 16, 20-22, 25, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tandon (U.S. Patent No. 6,233, 587) in view of Kleewein et al (U.S. Patent No. 5,953,719). Applicants respectfully traverse.

Applicants submit that the Tandon patent does not teach or suggest the claimed subject matter. The Kleewein patent does not cure the defects of the Tandon patent. For example, the Kleewein patent does not teach or suggest extending a database transaction to include at least one user-defined operation that accesses a computer resource by means of a Transaction Protocol describing a two-phase commit application programming interface (API) that operates between a transaction manager and a resource manager for transaction processing distributed over computer systems by registering said user-defined operation with said database, wherein the user-defined operation enables a database operation to be extended with user-customizable features; executing said database transaction; enabling said database to operate as said Transaction Manager by means of said Transaction Protocol, wherein said Transaction Manager manages distributed transactions by coordinating decisions about commit or rollback of pending transactions and coordinating failure recovery; accessing said resource manager by said database operating as said ~~XA~~ Transaction Manager; invoking said user-defined operation as part of said database transaction; recording with said database that said user-defined operation has been invoked; executing said invoked and recorded user-defined operation while executing said database transaction; and accessing said computer resource by said resource manager, thereby extending said database transaction.

Therefore, claims 1, 10, and 19 are not taught or suggested by the Tandon or Kleewein patents, either alone or in combination.

Dependent claims 2-4, 7, 11-13, 16, 20-22, and 25 incorporate the language of independent claims 1, 10, and 19 and add additional novel elements. Therefore, dependent claims 2-4, 7, 11-13, 16, 20-22, and 25 are not taught or suggested by the Tandon or Kleewein

patents, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 10, and 19.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-27 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0460.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

Dated: August 16, 2006

By: __/Janaki K. Davda/_____

Janaki K. Davda
Registration No. 40,684

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984